

ADDENDUM NO. 5

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

PROJECT NAME: **Fredericksburg Road Congestion Mitigation**

DATE: April 7, 2011

ADDENDUM NO.5

This addendum should be included in and be considered part of the plans and specifications for the name of the project. The contractor shall be required to sign an acknowledgement of the receipt of this addendum and submit with their bid.

CIMS PROJECT NO.: **40-00016**

SPECIFICATIONS:

Formal Invitation for Bid and Contract:

- Substitute and utilize the revised "FORMAL INVITATION FOR BIDS (IFB) AND CONTRACT" **010 IFB attached.**
 - Insert the Addendum Acknowledgement Form. Submit the form signed and dated with the bid proposal package indicating receipt of the number of Addendums received.
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CITY OF SAN ANTONIO

Issued By: CIMS Department
ID NO.: 40-00016-05-01

Date Issued: March 6, 2011
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FORMAL INVITATION FOR BIDS (IFB) and CONTRACT FREDERICKSBURG ROAD CONGESTION MITIGATION- (Prj. No. 40-00016)

Sealed bids, subject to the Terms and Conditions of this Invitation for Bids and other contract provisions, will be received at the Office of the City Clerk, City Hall, 100 Military Plaza, 2nd floor San Antonio, Tx 78205 until **2:00 p.m. CST on Tuesday, April 12, 2011** and publicly read aloud at **114 W. Commerce, Municipal Plaza Building "B" Room**. This is the *solicitation deadline*. Bids must be submitted in a sealed envelope and clearly marked with the due date of bid, bidder name, Project Name and ID NO. The City is not responsible for submissions not clearly and appropriately marked. Late submissions will be rejected and returned to bidder. A Non-Mandatory Pre-submittal conference will be held at 114 W. Commerce St., Municipal Plaza Building, 9th Floor Conference Room on March 23, 2011 at 9:30 am.

TABLE A - This invitation includes the following Contract Documents:

010 Invitation for Bids and Contract Signature Page Fredericksburg Rd. Congestion Mitigation	060 Supplemental Conditions
020 Bid Form	Performance Bond
025 Unit Pricing Form	Payment Bond
030 Contractor's Questionnaire	085 General Conditions for Heavy/Hwy Construction Contracts
040 Standard Instructions to Respondent	095 Special Conditions for SAWS & Sanitary Sewer Construction
050.01 SBEDA Terms & Conditions SBE Subcontracting Goal	Heavy Hwy Wage Decision TX100041 MOD#0 03122010
Subcontractor/Supplier Utilization Plan	City of San Antonio, Specifications, Special Conditions & Plans "Downtown Transportation Infrastructure" prepared by LAN

Plans, Specifications and Special Conditions may be purchased at a cost of **\$75.00** per set (tax included) from the office of **Lockwood, Andrews & Newnam, Inc.**, 10101 Reunion Place, Suite 200 San Antonio, TX 78216 Phone (210) 499-5082. No refund will be made for plan sets that are returned. Addenda will be posted on the web at www.sanantonio.gov/rfplistsings along with this solicitation. Changes to Plans, Specifications and Special Conditions will be included in an addendum and may be obtained from the office of LAN. Bidder understands and agrees that bidder is responsible for obtaining addenda and adhering to all requirements in addenda. City is not responsible for incorrect information obtained through other sources.

The following documents (fully completed and with original signatures) constitute the required information to be submitted as a part of the bid proposal clearly marked on the outside of the sealed envelope with the due date of bid, bidder name, Project Name and ID NO as follows:

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|---|---|
| 1) 010 Invitation for Bids & Contract Signature Page for Fredericksburg Rd. Congestion Mitigation | 4) 030 Contractor's Questionnaire |
| 2) 020 Bid Form | 5) Bid bond or cashiers check |
| 3) 025 Unit Pricing Form | 6) Signed Addenda Acknowledgement Forms |
| | 7) Subcontractors/Supplier Utilization Plan |

It is understood and agreed that the work is to be completed in full on or before **305** calendar days. This project does not include hazardous environmental work. This project requires **2** project sign(s).

A. SBEDA Program Compliance – Affirmative Procurement Initiatives

The CITY has applied the following contract-specific Affirmative Procurement Initiative to this contract. CONTRACTOR hereby acknowledges and agrees that the selected API requirement shall also be extended to any change order or subsequent contract modification, and absent SBO's granting of a waiver, that its full compliance with the following API terms and conditions are material to its satisfactory performance under this Agreement:

SBE Subcontracting Program. In accordance with SBEDA Ordinance Section III. D. 1. (c), this contract is being awarded pursuant to the SBE Subcontracting Program. CONTRACTOR agrees to subcontract at least **15%** of its prime contract value to certified SBE firms headquartered or have a significant business presence within the San Antonio Metropolitan Statistical Area (SAMSA). The Subcontractor / Supplier Utilization Plan that CONTRACTOR submitted to CITY with its response for this contract (or, as appropriate, that it agrees to submit during the price proposal negotiation phase of this contract), and that contains the names of the certified SBE Subcontractors to be used by CONTRACTOR on this contract, the respective percentages of the total prime contract dollar value to be awarded and performed by each SBE Subcontractor, and documentation including a description of each SBE Subcontractor's scope of work and confirmation of each SBE Subcontractor's commitment to perform such scope of work for an agreed upon dollar amount is hereby attached and incorporated by reference into the material terms of this Agreement. In the absence of a waiver granted by the SBO, the failure of CONTRACTOR to attain this subcontracting goal for SBE firm participation in the performance of a Commercially Useful Function under the terms of its contract shall be a material breach and grounds for termination of the contract

with the CITY, and may result in debarment from performing future CITY contracts, withholding of payment for retainage equal to the dollar amount of the underutilization below the agreed upon SBE subcontracting goal, and/or shall be subject to any other remedies available under the terms of this Agreement for violations of the SBEDA Ordinance, or under any other law.

This is a Public Works Contract and chapter 2258 of the Texas Government Code requires that not less than the prevailing wage rate for work of a similar character in this locality shall be paid all laborers, workmen, and mechanics employed in the construction thereof. The Wage Decision Number TX100041 03/12/2010 TX41 shall be used on this contract, which is available on the web at <http://www.wdol.gov/dba.aspx#0>.

The undersigned, by his/her signature, represents that he/she is authorized to bind the bidder to fully comply with Contract Documents for the amount(s) shown on the accompanying bid sheet(s). The work proposed to be done shall be accepted when fully completed and finished to the entire satisfaction of the City. The undersigned certifies all prices contained in this bid have been carefully checked and are submitted as correct and final. The Bidder by submitting this bid and signing below, acknowledges that he/she has received & read the entire Bid and Contract document and agrees to be bound by the terms therein, has received all Addenda, and agrees to the terms, conditions, and requirements of the bidder's bid proposal and all documents listed in TABLE A above and the enabling Ordinance and associated documentation that form the entire Contract upon approval by the City Council.

Official Name of Company (legal): _____

_____/_____
Original Signature of Person Authorized to Sign Bid/Contract Date Signer's Name: _____
(Please Print or Type)

CITY OF SAN ANTONIO
DEPARTMENT OF CAPITAL IMPROVEMENTS MANAGEMENT SERVICES
CONTRACT SERVICES DIVISION

RECEIPT OF ADDENDUM NUMBER(S) 5 IS HEREBY ACKNOWLEDGED FOR PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF: **Fredericksburg Road Congestion Mitigation 40-00016**

FOR WHICH BIDS WILL BE OPENED ON **TUESDAY, APRIL 12, AT 2:00 PM**

THIS ACKNOWLEDGEMENT MUST BE SIGNED AND RETURNED WITH THE BID PACKAGE.

Company Name: _____

Address: _____

City/State/Zip Code: _____

Date: _____

Signature

Print Name/Title